No. 00-949 (19)

IN THE
Supreme Court of the United States

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SUPREME COURT, U.S.

GEORGE W. BUSH, et al.
Petitioner,

v.

ALBERT GORE, JR., et al.
Respondents.

On Petition for Writ of Certiorari to the Supreme Court of Florida

MOTION FOR DIVIDED ARGUMENT

Pursuant to Rules 21 and 28.4 of the Rules of this Court, Respondents, Katherine Harris, Florida Secretary of State, and Katherine Harris, Laurence C. Roberts, and Bob Crawford, as Members of the Florida Elections Canvassing Commission, (the "Canvassing Commission Respondents"), respectfully request that the oral argument time for petitioner be divided as follows: thirty-five (35) minutes for Petitioner, George W. Bush, to be followed by ten minutes for the Canvassing Commission Respondents. Petitioner has agreed to cede ten minutes of his time to the Canvassing Commission Respondents.

This case arises out of the November 7, 2000 election for President of the United States conducted in the state of Florida. Among other issues, this case presents the questions of whether the Supreme Court of Florida established new standards for resolving presidential election contests that conflict with legislative enactments and whether selective manual recounts with procedures that vary across counties is constitutionally infirm. The Secretary of State

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("Secretary") is charged under Florida law with, among other duties, the responsibility to "[o]btain and maintain uniformity in the application, operation, and interpretation of the election laws," Fla. Stat. § 97.012(1), and the Director of the Division of Elections ("Director") is required to "provide advisory opinions when requested by any supervisor of elections... relating to any provisions or possible violations of Florida election laws with respect to actions such supervisor... has taken or proposes to take." Fla. Stat. § 106.23(2). The Secretary and the Director are two of the three members of the Elections Canvassing Commission. Thus, the Secretary, the Director, and the Elections Canvassing Commission have a strong interest in ensuring that Florida election law is properly and uniformly applied.

In addition, the Canvassing Commission Respondents litigated the merits of this case in the Circuit Court for Leon County and argued before the Supreme Court of Florida. Coupled with the Canvassing Commission Respondents' expertise in Florida election law, they are likely to be in the best position to address any questions the Court may have regarding the state court litigation or Florida election law prior to November 7, 2000. Thus, we believe that an oral presentation by the Canvassing Commission Respondents would be of further assistance to the Court. Accordingly, we respectfully request that the Canvassing Commission Respondents be accorded ten minutes of the total argument time allotted to Petitioner.

Dated this 9th day of December, 2000.

Respectfully submitted,

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Motion for divided argument.wpd